

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- July 14, 1971

Appeal No. 10821 Stanton Gardens Section IV, Inc., et al, appellants

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and unanimously carried, Mr. Harps absent, the following Order of the Board was entered at the meeting of August 23, 1971.

ORDERED:

That the appeal for permission to construct groups of single-family dwellings, flats or apartments with division walls from the ground up to be deemed single buildings and for variance from floor area ratio, side yard, lot occupancy requirements of Section 3307 and variance of story limitation of the R-5-A District and permission to locate parking in front of buildings, said group of buildings to meet overall requirements of floor area ratio and lot occupancy for R-5-A District near 2645 Sayles Place, S.E., and a portion of public alley to be closed, Lots 49-56, 60-70, 73-84, 885, 887-890, 940, 942, 943, 958, 962, 964, 970, 971, Square 5872 (partial reinstatement of BZA Appeal No. 10144), be granted.

EFFECTIVE DATE OF ORDER -- August 24, 1971

FINDINGS OF FACT:

1. In Appeal No. 10144, the Board granted permission to the applicants to construct groups of single-family dwellings, flats or apartments with division walls from the ground up to be deemed single buildings and for variance from the F.A.R., side yard, lot occupancy requirements of Section 3307 and variance of story limitation of R-5-A District and permission to locate parking in front of buildings, said group of buildings to meet overall requirements of F.A.R. and lot occupancy for the R-5-A District on the subject property.

2. Appeal No. 10144 granted approval of 114 dwelling units as flats and single-family dwellings on land designated for identification as Parcels A, B and C. In this appeal, applicants request the reinstatement of the Order in Appeal No. 10144 only as it pertains to Parcel A. Parcel A calls for the construction of seven groups of flats and single-family units having a total of 61 dwelling units.

3. The subject property is located in an R-5-A District, and the proposed development falls within the F.A.R. and lot occupancy requirements of the R-5-A District.

4. On September 22, 1969, the then Acting Superintendent of Schools, Mr. Benjamin T. Henley, stated that temporary capacity for 1,752 students is scheduled to be available in 1970 and this will eliminate the busing to other areas of the city and overcrowded conditions (class size of more than 30:1). (See Exhibit No. 20 in BZA File 10144).

5. On June 9, 1971, the Board of Education President, Mrs. Anita F. Allen, stated that the Board of Education has no objection to the proposed zoning text change in BZA Case No. 10821. However, Mrs. Allen did state that the increase of pupil population expected from the proposed development can be accommodated in existing and proposed schools. (See BZA Exhibit No. 7 in Case No. 10821).

6. The Office of Housing Programs recommends approval of the Stanton Gardens Project. (See BZA Exhibit No. 18, Case No. 10821).

7. The Department of Highways and Traffic offered no objections to the subject project and finds them acceptable. (See BZA Exhibit No. 23, Case No. 10821).

8. The National Capital Planning Commission recommended that approval of the application to construct seven groups of buildings containing a total of 61 dwelling units. However, the Commission advised the Board of Zoning Adjustment "that there is insufficient public school capacity in this area of the city to adequately serve the school population." (See BZA Exhibit No. 26, Case No. 10821). The National Capital Planning Commission has advised the Board that the computations of school capacity in the Southeast area contained within their report were based on the 24:1 pupil-teacher ratio.

9. By letter dated August 23, 1971, the Office of Housing Programs notified the Board that their computations for school capacities contained in the Washington Far Southeast '70 study were based on the long-range goal of the Board of Education for the pupil-teacher ratio of 24:1. Attached to the letter is a statistical analysis of the Southeast area on the basis of a 30:1 pupil-teacher ratio furnished by the Board of Education. That analysis indicates that there is sufficient capacity in the Southeast area to accommodate the proposed development.

10. By letter dated August 23, 1971, the Housing Development Corporation stated that the project will draw largely from residents that presently live in the immediate area.

OPINION:

The Board is of the opinion that the granting of the requested reinstatement will be in harmony with the general purpose and intent of the

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Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property. Further, the Board is of the opinion that the applicant has established a hardship with regard to the story limitation variance and that the variance can be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the Zone Plan.

The Board approves in this Order the development for Parcel A of 61 units only. Further development must be approved by the Board, subject to the provisions of the Zoning Regulations and by way of new applications to the Board. At that time, the Board will consider the additional development proposed and its effect on the possible increase in school population and services.

Mr. Harps at the time of the entry of this Order was out of the city and did not participate in the decision.

BY ORDER OF THE BOARD OF ZONING ADJUSTMENT, D.C.

ATTESTED:

By: _____

GEORGE A. GROGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.